

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

GAIL GALLOWAY
Plaintiff

v.

**PENNSYLVANIA BOARD OF
PROBATION AND PAROLE, et al.,**
Defendants

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CIVIL NO. 1:CV-00-0649

(Judge Rambo)

FILED
HARRISBURG, PA

MAR 24 2004

MARY E. D'ANDREA, CLERK
Per *[Signature]*

**MOTION TO WAIVE FILING OF SECOND AMENDED COMPLAINT BY
PLAINTIFF**

NOW COMES Gail Galloway, ("Plaintiff"), in the above captioned action and requests this Court to withdraw its Order dated March 3, 2004 and waive the filing of a Second Amended Complaint in this matter.

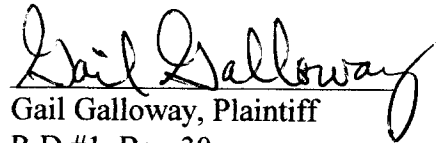
Counsel for the Defendants has been in contact with Plaintiff and has cleared up the issue of the defendants in this matter. Counsel and Plaintiff have agreed that the only issue is the Plaintiff's claim that Defendants illegally seized him in violation of his Fourth Amendment rights, therefore the Plaintiff's Fourth Amendment claim is the only issue being litigated.

Defendants for the Plaintiff's Fourth Amendment claim shall only be the Pennsylvania Board of Probation and Parole, Charles Giornesto, Joseph Smith, and

George Johnson and all other defendants are dismissed from the case either by Order of the Court or by mutual agreement between Defendants Counsel, Francis Filipi, Office of Attorney General and Plaintiff.

THEREFORE, since it is clearly understood and agreed upon by Counsel for the Defendants and Plaintiff who the Defendants are and that the only issue being litigated is Plaintiff's Fourth Amendment claim, both parties agree that there is no need for Plaintiff to file a Second Amended Complaint.

Respectfully Submitted,

A handwritten signature in cursive script, reading "Gail Galloway". The signature is written in black ink and is positioned above the printed name and address.

Gail Galloway, Plaintiff
R.D.#1, Box 30
Petersburg, PA 16669
(814) 669-9164

Date: March 22, 2004

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

GAIL GALLOWAY,
Plaintiff

v.

**PENNSYLVANIA BOARD OF
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Defendants

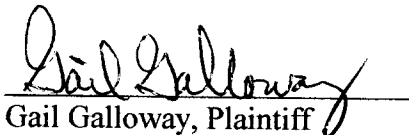
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CIVIL NO. 1:CV-00-0649

CERTIFICATE OF CONCURRENCE

Francis Filipi, Office of Attorney General, 15th Floor, Strawberry Square,
Harrisburg, PA, Counsel for Defendants in the above captioned action has spoken
directly with Gail Galloway, Plaintiff in the above captioned action and has concurred
that there is no need for Plaintiff to file a Second Amended Complaint since both
parties agree on who the Defendants are and that the only issue being litigated is
Plaintiff's claim that the Defendants illegally seized him in violation of his Fourth
Amendment rights.

Respectfully submitted,



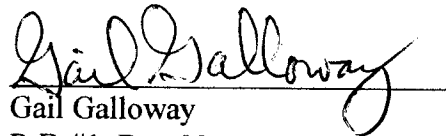
Gail Galloway, Plaintiff
R.D.#1, Box 30
Petersburg, PA 16669
(814) 669-9164

Date: March 22, 2004

CERTIFICATE OF SERVICE

I certify that I have this day served a true and correct copy of the foregoing document upon the persons named below by First Class United States Mail at the address stated, which is the last known address of each.

Francis Filipi
Office of Attorney General
15th Floor, Strawberry Square
Harrisburg, PA 17120

A handwritten signature in black ink, reading "Gail Galloway", written over a horizontal line.

Gail Galloway
R.D.#1, Box 30
Petersburg, PA 16669
814-669-9164

Date: March 22, 2004